



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Florida Department of Agriculture & Consumer Services
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Tallahassee, Florida 32399-1650

Date Issued: March 19, 2008
Expiration Date: March 19, 2009
Report Due: September 19, 2009
File symbol: 08-FL-01

Attn: Charlie Clark / Robert Moore

The Environmental Protection Agency hereby issues a specific exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to the Florida Department of Agriculture and Consumer Services for the use of thiophanate methyl on citrus, to control Post-bloom Fruit Drop (PFD) (*Colletotrichum acutatum*) and stem-end rot (*Lasiodiplodia theobromae*).

In correspondence dated January 16, 2008, the Florida Department of Agriculture and Consumer Services re-certified that the emergency condition still existed and that there were no changes to the use directions as approved in last year's authorization dated March 2, 2007, including, but not limited to, the use rate, type of application, number of units to be treated, etc.

Conditions of this exemption are given below:

1. The Florida Department of Agriculture and Consumer Services is responsible for ensuring that all provisions of this specific exemption are met. It is also responsible for providing information in accordance with 40 CFR 166.32. Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and the EPA Regional office within 6 months following the expiration of this exemption, or prior to requesting another specific exemption for this use. In accordance with 40 CFR 166.32(a), these offices shall also be immediately informed of any adverse effects resulting from the use of this pesticide in connection with this exemption.

Refer to file symbol 08-FL-01 in any future correspondence regarding this exemption.

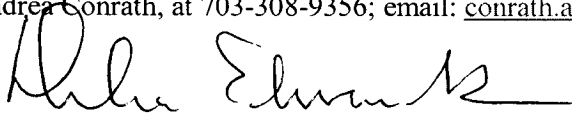
2. Topsin M WSB Fungicide, EPA Reg. Nos. 73545-16, 73545-16-70506, or 73545-16-82695; manufactured by United Phosphorus, Inc., may be applied. All applicable directions, restrictions and precautions on the EPA-registered product labels must be followed.

3. Topsin M WSB Fungicide may be applied by ground or aerial application at a rate of 1.5 to 2 lbs. of formulated product (1.05 to 1.4 lb. a.i.) per acre. A maximum of 2 applications may be made, with the second application made 7-14 days after the first. Do not exceed a total of 4.0 lbs. of formulated product (2.8 lbs. a.i.) per acre per year. Topsin M WSB Fungicide may not be applied through any type of irrigation system.
4. Do not apply within 48 hours of harvest.
5. Worker re-entry into treated areas during the restricted entry interval (REI) of 48 hours is not allowed.
6. A maximum of 748,555 acres of citrus may be treated under this exemption.
7. Residues are not expected to exceed 0.5 ppm for citrus. Secondary residues in animal commodities are not expected to exceed existing tolerances as a result of this Section 18 use. The Agency has determined that this residue level is adequate to protect public health. A time-limited tolerance established in connection with past exemptions for this use expires on December 31, 2009, and thus will be adequate to cover any residues resulting from this use.
8. This exemption expires one (1) year from date of authorization.
9. A report summarizing the results of this program must be submitted within 6 months following expiration, or prior to requesting future emergency exemptions for this use, whichever is sooner.

This is the seventh year that the Agency has issued this exemption to the Florida Department of Agriculture and Consumer Services. In the event that the FDACS requests an emergency exemption for this use next year, EPA is making a preliminary determination that this use is eligible for the re-certification program (40 CFR 166.20(b)(5)) in 2009, with the addition of available information evaluating the current control alternatives in the context of a non-emergency versus emergency disease situations. This program carries two diseases – post-bloom fruit drop and stem-end rot – which should each be discussed. Also, the economic significance of the two pathogens needs further elaboration.

With respect to progress toward a full label for this use, there is uncertainty about whether new risk assessments for thiophanate methyl will support additional registrations for crops that are not currently federally labeled. Therefore, EPA is interested in working with FDACS, the industry, and its cooperators to investigate whether alternative strategies for control of post-bloom fruit drop and stem end rot in citrus production can be identified. Due to the long-standing nature of this request and the uncertainty about registration for new thiophanate methyl uses, FDACS and its cooperators must provide a full discussion of research into alternative disease control measures if an exemption request is submitted for this use in 2009.

If you have any questions regarding this authorization, please contact my staff member Andrea Conrath, at 703-308-9356; email: conrath.andrea@epa.gov.



Debra Edwards, Ph.D., Director
Office of Pesticide Programs

Date: 3/19/08

cc: Lora Lee Schroeder, EPA Region 4